

underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 666

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Kent L. Cravens

AN ACT

RELATING TO INTERSTATE COMPACTS; REQUIRING PUBLIC NOTICE AND
ACCESS TO MEETINGS AND RECORDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE.--This act may be cited as the
"Interstate Compact Transparency Act".

Section 2. DEFINITIONS.--As used in the Interstate
Compact Transparency Act:

A. "governing body" means the organization of an
interstate compact authorized to act in the particular business
that is the subject of the interstate compact;

B. "interstate compact" means any agreement entered
into between the state and one or more other states or
federally recognized Indian nations, tribes or pueblos,
regardless of subject matter or the need for federal

1 congressional approval;

2 C. "official meeting" means any meeting of an
3 interstate compact governing body that is required by the terms
4 of the interstate compact or a decision of the governing body;

5 D. "open access law" means a law, constitutional
6 provision, rule or court ruling, such as the Open Meetings Act,
7 that intends or that has the effect of increasing the
8 transparency of any government operation to public scrutiny;

9 E. "records" means meeting minutes, records of
10 votes or any other information that the governing body is
11 required to keep under the terms of an interstate compact; and

12 F. "written notice" means the written conveyance of
13 information from the governing body to the residents of the
14 state in a manner that would reasonably inform the residents of
15 the state that the governing body has scheduled a meeting,
16 whether or not any resident actually received the written
17 conveyance.

18 Section 3. OPEN ACCESS.--

19 A. The state shall not enter into any interstate
20 compact unless the governing body of the interstate compact
21 complies with the open access laws of the state.

22 B. Notwithstanding Subsection A of this section,
23 the state shall not enter into an interstate compact unless the
24 governing body of the interstate compact provides written
25 notice of an official meeting, thirty days prior to that

.175049.1

underscoring material = new
~~[bracketed material] = delete~~

1 meeting, and provides the public with access to the written and
2 electronic records of all official meetings.

3 C. The state shall not participate in an interstate
4 compact in which the governing body did not comply with
5 Subsection A or B of this section.

6 Section 4. SEVERABILITY.--If any part or application of
7 the Interstate Compact Transparency Act is held invalid, the
8 remainder or its application to other situations or persons
9 shall not be affected.

10 Section 5. EFFECTIVE DATE.--The effective date of the
11 provisions of this act is July 1, 2009.